

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TYLER MILLS,)	CASE NO. C04-2342-RSL-MAT
)	
Plaintiff,)	
)	
v.)	ORDER STRIKING PLAINTIFF'S
)	MOTION FOR DEFAULT
RON SIMS, et al.,)	JUDGMENT
)	
Defendants.)	

This matter comes before the Court on plaintiff's motion for default judgment. The Court having considered plaintiff's motion, and the balance of the record, does hereby find and ORDER as follows:

(1) Plaintiff's motion for default judgment (Dkt. No. 43) is STRICKEN. Plaintiff asserts in the instant motion that he is entitled to judgment by default because defendants failed to file an answer to his amended complaint. However, the record reflects that defendants filed an answer to plaintiff's amended complaint on April 25, 2005. Accordingly, plaintiff's motion for default judgment is moot.

(2) The Clerk is directed to send a copy of this Order to plaintiff, to counsel for defendants, and to the Honorable Robert S. Lasnik.

DATED this 9th day of June, 2005.



Mary Alice Theiler
United States Magistrate Judge